



**Eric Gonzalez**  
District Attorney

**DISTRICT ATTORNEY  
KINGS COUNTY**

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**[INSERT NAME]**  
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]  
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

**MOS NAME: MICHAEL TEMPERINO**

**MOS TAX: [REDACTED]**

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

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**Disclosure # 1:**

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 04/13/2012, AGAINST MOS TEMPERINO:  
ALLEGATION:

1. MOS TEMPERINO, ASSIGNED TO THE 70TH PRECINCT, MOS TEMPERINO ON OR ABOUT APRIL 13, 2012, WRONGFULLY POSTED AN INAPPROPRIATE PHOTOGRAPH OF A CIVILIAN TO THE PUBLIC WEBSITE, "FACEBOOK", AND SENT A DISCOURTEOUS TEXT MESSAGE TO THE SAME CIVILIAN REGARDING THE TERMINATION OF THEIR RELATIONSHIP.

ACTION TAKEN: SCHEDULE B COMMAND DISCIPLINE; LOSS OF EIGHT (8) DAYS

CASE STATUS: CLOSED ON 10/04/2013

**Disclosure # 2:**

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION, DATED 05/24/2012, AGAINST MOS TEMPERINO:  
ALLEGATION:

1. DOMESTIC OTHER

CASE STATUS: CLOSED ON 10/15/2013

**Disclosure # 3:**

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION, DATED 06/12/2012, AGAINST MOS TEMPERINO:  
ALLEGATION:

1. DEPARTMENT RULES/ VIOLATIONS - TRAFFIC VIOLATION BUREAU - NON-APPEARANCE

ACTION TAKEN: SCHEDULE B COMMAND DISCIPLINE

CASE STATUS: CLOSED ON 03/21/2013

**Disclosure # 4:**

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 05/27/2013, AGAINST MOS TEMPERINO:  
ALLEGATION:

1. COURT NON-APPEARANCE - TRAFFIC VIOLATION BUREAU.

ACTION TAKEN: SCHEDULE A COMMAND DISCIPLINE

CASE STATUS: CLOSED ON 09/15/2014

**Disclosure # 5:**

MOS TEMPERINO IS A NAMED DEFENDANT IN THE FOLLOWING CIVIL ACTION:

AUSTIN BURTON, KENNY DORCEAN EDWIN GONZALEZ, TYQUAN JACKSON, MARVINGT JULIEN, RASHED MCNEIL AND DADY MICHEL V. CITY OF NEW YORK, ET AL 14-CV-02902 FILED IN THE EASTERN DISTRICT OF NEW YORK

**Disclosure # 6:**

MOS TEMPERINO PLED GUILTY TO THE FOLLOWING NYPD DEPARTMENTAL CHARGES AND SPECIFICATIONS, DATED 11/15/2016:

1. MOS TEMPERINO, WHILE ASSIGNED TO THE 121ST PRECINCT, ON OR ABOUT APRIL 1, 2015 AND THROUGH SEPTEMBER 22, 2016, DID WRONGFULLY AND WITHOUT JUST CAUSE ENGAGE IN OFF-DUTY EMPLOYMENT WITHOUT AUTHORITY OR PERMISSION TO DO SO.

CASE STATUS: CLOSED ON 09/22/2017

ACTION TAKEN: FORFEITURE OF FIFTEEN (15) VACATION DAYS

**Disclosure # 7:**

MOS TEMPERINO PLED GUILTY TO THE FOLLOWING NYPD DEPARTMENTAL CHARGES AND SPECIFICATIONS, DATED 11/15/2016:

1. MOS TEMPERINO, WHILE ASSIGNED TO THE 121ST PRECINCT, ON OR ABOUT AUGUST 14, 2015 AND THROUGH OCTOBER 16, 2015, DID WRONGFULLY AND WITHOUT JUST CAUSE UTILIZE DEPARTMENT COMPUTERS, FOR NON-DEPARTMENT OR NON-CITY PURPOSES, TO WIT: HE CONDUCTED A TOTAL OF ELEVEN (11) INQUIRIES [REDACTED], IDENTITY KNOWN TO THE DEPARTMENT, ON DEPARTMENT DATABASES.
2. MOS TEMPERINO, WHILE ASSIGNED TO THE 121ST PRECINCT, ON OR ABOUT MARCH 26, 2016, AND THROUGH APRIL 20, 2016, DID WRONGFULLY AND WITHOUT JUST CAUSE UTILIZE DEPARTMENT COMPUTERS, FOR NON-DEPARTMENT OR NON-CITY PURPOSES, TO WIT: HE CONDUCTED A TOTAL OF THIRTEEN (13) INQUIRIES [REDACTED], IDENTITY KNOWN TO THE DEPARTMENT, ON DEPARTMENT DATABASES.

CASE STATUS: CLOSED ON 09/22/2017

ACTION TAKEN: FORFEITURE OF FIFTEEN (15) VACATION DAYS

**Disclosure # 8:**

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 03/15/2018, AGAINST MOS TEMPERINO:

ALLEGATION 1: REPORT INCOMPLETE/INACCURATE - PROPERTY CLERK INVOICE

ALLEGATION 2: INVOICE DISCREPANCY - BANK DROP – SHORTAGE (NOT COUNTERFEIT)

ACTION TAKEN: VERBAL INSTRUCTIONS

CASE STATUS: CLOSED ON 04/06/2018

**Disclosure # 9:**

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 10/22/2018, AGAINST MOS TEMPERINO:

ALLEGATION:

1. FAIL TO NOTIFY A SUPERVISOR.

ACTION TAKEN: VERBAL INSTRUCTIONS

CASE STATUS: CLOSED ON 01/11/2019

**Disclosure # 10:**

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 08/08/2019, AGAINST MOS TEMPERINO:

ALLEGATION:

1. COURT NON-APPEARANCE - TRAFFIC VIOLATIONS BUREAU

ACTION TAKEN: SCHEDULE A COMMAND DISCIPLINE

CASE STATUS: CLOSED ON 10/23/2019

**Disclosure # 11:**

THE PEOPLE ARE AWARE OF THE FOLLOWING FEDERAL CIVIL RIGHTS ACTION(S) AND/OR STATE TORT CIVIL LAWSUIT(S) IN WHICH THE INDICATED OFFICER HAS BEEN NAMED AS AN INDIVIDUAL DEFENDANT. NOTE, THE DISPOSITION INFORMATION MAY NOT BE CURRENT

PLAINTIFF	DOCKET	COURT	FILED	DISPOSED	DISPOSITION
Mario Fortune, et al.	15-CV-1539	E.D.N.Y.	3-24-15	12-29-16	Settlement, without admission of fault or liability

**BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS OFFICER:****Disclosure # 12:**

CCRB CASE: 201803623

REPORT DATE: 05/09/2018

INCIDENT DATE: 05/09/2018

CCRB SUBSTANTIATED ALLEGATION:

1. Abuse – Question

NYPD Disposition: Formalized Training

OTHER MISCONDUCT NOTED (NO CCRB JURSDICTION):

1. OMN - Failure to prepare a memobook entry

2. OMN - Improper use of bodyworn camera

NYPD Disposition: No Finding, Penalty of Formalized Training

**Disclosure # 13 (PENDING):**

CCRB CASE: 202001584

REPORT DATE: 02/21/2020

[REDACTED]  
[REDACTED]  
[REDACTED]

Eric Gonzalez  
District Attorney  
Kings County